

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Moise Saadia

Docket No. 5:14-CR-157-1FL

Petition for Action on Supervised Release

COMES NOW Eddie J. Smith, Supervising U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Moise Saadia, who, upon an earlier plea of guilty to 18 U.S.C. §§ 2314 and 2, Interstate Transportation of Stolen Goods and Aiding and Abetting, was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge, on March 4, 2015, to the custody of the Bureau of Prisons for a term of 37 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

Moise Saadia was released from custody on October 13, 2017, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: Since his release from custody, the defendant has been supervised in the Eastern District of New York (EDNY) by U.S. Probation Officer Eric Scherdel. Officer Scherdel reports that on November 8, 2017, Saadia reported for a treatment session and submitted a urine test which rendered a positive result for opiates and morphine. On November 21, 2017, Officer Scherdel met with Mr. Saadia and he admitted to consuming both Oxycodone and heroin prior to the test taken on November 8, 2017. In December 2017, Saadia was directed to report to the Probation Department on December 21, 2017; however, he failed to report. On January 12, 2018, Saadia, reported and met with Officer Scherdel and he admitted to consuming heroin and cocaine once again earlier in the week. A urine sample was secured, which rendered a positive result for heroin and cocaine.

Mr. Saadia continued to use both heroin and cocaine and on January 13, 2018, he admitted himself for detoxification treatment in an effort to regain his sobriety. Saadia remained in the program for five days and was released on January 18, 2018. On January 25, 2018, the probation officer met with Mr. Saadia and he admitted that he had resumed using heroin and cocaine after his release from the detoxification program. Another urine test was obtained that same day from Saadia, which tested positive for opiates. Once again, Saadia's treatment plan was increased to intensive out-patient requiring him to attend therapy sessions five times per week and complete the previous plans request to have him assessed for opiate blocker therapy. Saadia submitted a follow up urine test on February 14, 2018, which tested positive for opiates.

On February 22, 2018, Mr. Saadia's clinical counselor notified Officer Scherdel that Saadia had been struggling with maintaining his sobriety and has not attended his treatment sessions consistently. They discussed Saadia's treatment plan and agreed that he was in need of long term in-patient treatment to address his opioid addiction. On March 2, 2018, Saadia reported as directed and admitted to the probation officer that he has continued to use heroin and cocaine. In light of Saadia's continued illicit drug use and failure to establish his sobriety, and Officer Scherdel determined that Saadia would greatly benefit from in-patient treatment. Currently, Saadia was admitted into the Cornerstone Detoxification Program in Fresh Meadows, N.Y. for detoxification and he is receiving medical treatment to treat opiate withdrawal symptoms, while they await bed availability in an in-patient treatment program.

Officer Scherdel believes the imposition of an inpatient substance abuse treatment condition will proactively assist Saadia to stabilize his life, while assisting him to recover from his addiction. Furthermore,

Moise Saadia

Docket No. 5:14-CR-157-1FL

Petition For Action

Page 2

this modification will provide the Probation Department a means to more effectively supervise Saadia and monitor his treatment progress in a controlled rehabilitation facility.

Additionally, it is our recommendation to transfer jurisdiction in this case to the EDNY to address issues more efficiently. If you concur with this recommendation, please execute the Probation Form 22 and return to our office for further distribution.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

The defendant shall participate in an inpatient drug treatment program approved by the U.S. Probation Department. Upon completion or discharge from the in-patient substance abuse treatment program, the defendant shall participate in an outpatient drug treatment program approved by the U.S. Probation Department. The defendant shall contribute to the costs of any treatment not to exceed an amount determined reasonable by the Probation Department's Sliding Scale for Substance Abuse Treatment Services, and shall cooperate in securing any applicable third party payment, such as insurance or Medicaid. The defendant shall disclose all financial information and documents to the Probation Department to assess his or her ability to pay. The defendant shall not consume any alcohol or other intoxicants during and after treatment, unless granted a prescription by a licensed physician and proof of same is provided to the Probation Department. The defendant shall submit to testing during and after treatment to ensure abstinence from drugs and alcohol.

Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Eddie J. Smith

Eddie J. Smith

Supervising U.S. Probation Officer

150 Rowan Street Suite 110


Fayetteville, NC 28301

Phone: 910-354-2537

Executed On: March 19, 2018

ORDER OF THE COURT

Considered and ordered this 20th day of March, 2018, and ordered filed and made a part of the records in the above case.



Louise W. Flanagan
U.S. District Judge